

**City of Bloomington
Telecommunications Council
Business Meeting – May 10, 2011**

**Common Council Chambers
City Hall at the Showers Building
401 N. Morton St.**

I. Members Present: Eric Ost, Suzann Owen, Carl Zager, Duane Busick

II. Approval of Minutes:

- Duane Busick moved to accept the March minutes. Carl Zager seconded the motion. Corrections were made by Duane Busick, and Suzann Owen. Suzann Owen had the corrections written up, and would submit them via email to the rest of the council after the meeting. Duane Busick called for the questions. All approved.

III. Public Comment – Lennon Beasley

New Series on Ch. 7 for

January – Organ Studio – play's ½ an album each episode.

Lennon Beasley Monthly Report – a report of all his work done at CATS.

February – Happy Together – Romance Comedy, 6 episodes done with girlfriend Katie Mills.

Dance Floor – also done with girlfriend Katie Mills.

March – Piano Department – Lennon plays his keyboard, along with a recording of a grand piano.

Recording House Rock – Drum track, singing track, piano track, then combines them all.

One Man Stand – Split Screen, with Lennon on keyboard, and drums.

Musical Instrumental Showcase Concert – Plays drums on one video, plays piano on a video, plays horn on a video, and guitar on another video, then blends it all together in a final video.

2nd Episode of New Beginnings – A religious and philosophy program. Lennon filmed a Sunday morning services at Genesis Church on the bypass.

April – Game Night – Produced with Carl Zager, they look at different types of games.

Lifetime Romance Movie – Second Chapter – a featured linked film, much better than the first, done with girlfriend Katie Mills.

Lennon bought himself a desktop Apple Computer and has I-Movie on it. He is turning his spare bedroom into an editing room. Lennon has produced 1406 shows. Lennon is also producing a documentary on himself with the help of Carl Zager. They have done some filming in Martinsville, and Mooresville.

Overall, Lennon had produced – 1 Dance Floor, 1 Monthly Report with Lennon Beasley, 2- New Beginnings, 1-One Man Stand, 1 – Shining Bloomington (Miller Showers Park), 7- Singing Studios, 3-Tuesday Night Live Music

IV. Reports and Announcements

1. CATS - Michael White

- Monthly programming
- wanted to thank Mark Tobency (sp?), independent producer, for producing program on Habitat for Humanity Re-store
- Lennon Beasley has topped 1400 programs.
- We picked up another tapeless camera.
- We also want to thank Jim Higgins from Comcast and his crew. One day we were unable to monitor our channels. He and his crew came out and tracked down the cabling problem in the library. Some digital convertors were installed to help with the conversions.

Suzann – Is the library having to pay for the digital convertors?

Michael – No, we are not. Comcast provides 3 for free.

Duane – They will do that for schools too.

2. Telecommunication Council Members:

- **Duane – No Report**
- **Carl** – I have two problems that need to be shared, and discussed.
 1. This is a scary time of year for people with all the dramatic weather. When we had an analog system Monroe County was made aware of the warnings. Now people are receiving warnings that may not directly affect Monroe County. This can

cause some agitation. People may ignore the cable interrupts, and then not hear warnings when they affect the immediate area. A year and half ago, Central Dispatch, the City of Bloomington, and Emergency Management began looking at a method by which local public safety, and emergency providers would have the ability to interrupt video services local events not necessarily weather related. We've not heard any report or status on the process. I would like the City of Bloomington to look into this, and provide this council with some report on the status of the public safety interrupts.

2. During the recent legislative sessions, and effort was made to end franchise fee's payments to local governments. That imitative was not successful, but Bloomington, Monroe County, Ellettsville, Monroe County Library, CATS, and WTIU need to begin a serious investigation of a method by which the government entities, PEG providers can continue to provide local coverage. These entities need to investigate getting these services out to all citizens regardless of video service providers.

Eric – What type of inquiry do you want to request from the city?

Carl – I don't know.

Eric – I recall that something was going to happen with the alerts thru the National Weather Service process.

Carl – There is a program thru NWS offered to local government by which they would trigger a local alert thru the EAS system. I'd like to know if we are doing anything with that, or whether there is any intent to look into that process.

Eric – That was an imitative by the National Weather Service or just the office in Indiana.

Carl – I don't know.

Eric – It's a fundamental issue, because right now we have no ability to issue those local alerts.

Carl – I have something written out that I will email to the members of the council after the meeting.

- **Suzann** – Something happened late in the Indiana Legislative Assembly this year. What happened has become a tradition of blindsiding local entities. In April, Senate Bill 54 was passed that made a revision in the existing video service provider law. The summary of it was local regulation of video service franchises:

1. **"It provides that a local unit of government may not regulate a holder of a certificate to provide or a provider of video service provider in Indiana."**

2. **"Establish a fund, or entity to regulate a holder or provider."**

Key word is regulate. We do not think this is a major change since the law was originally passed. We know that there is no regulation, the city does not hold the franchise certificate of the video service provider, and only the state holds the franchise certificate. So the city is not regulating that. Our sense however, this was a move to abolish all local government units or organizations, such as this council. One of our concerns is video services, and video service providers, say we are regulating them, and we've never said we are regulating them, but we do discuss them, and the services provided. We discuss: EAS – how it varies from one provider to another, Revenue – we do not regulate the amount, which is set by the government, Franchise Fee's – We have services that rely on these fees. The original law, 5 years ago, states the franchise fee will be paid to the local entity, and the PEG channels will be carried. The PEG discussion is what we've been focused on since the law was changed. Our concern is still that one of the video service providers does not carry the PEG channels, even though customers pay a fee for them. At this point, we are still feeling like we are in limbo. There is some belief that this bill, that this council should not exist. There is a very broad interpretation of regulating a video service provider certificate holder. We do however need to drastically update our ordinance, and that needs to go thru the City Council which we have discussed the last five years. This needs to be our focus, and seeing how much support we have.

Eric – It is a strong indicator that times have changed. Whereas the nature of this bill is unclear. I think it provides us with a very fruitful discussion and means of moving on.

Duane – Senate Bill 54 goes into law on July 1st?

Eric – It was signed April 26th, I assume it is enacted at the beginning of the fiscal year.

Suzann – It is not a new law, just a revision, so it may go into effect immediately.

Eric – I have a revised ordinance written that I will forward onto members after the meeting for comments.

Duane – I think we are all in agreement on how we interpret the law.

Carl – The bill passed was basically a re-statement of 2006 legislation. An effort was made over a year ago to pass a similar bill that originated in the Senate. We were able at that time to get assistance from the Association of Cities and Towns, and the County Association of Cities and Towns to address the Senate and discuss the bill. At that time, it was apparent that the local governments disturbed by this actions were few. The City of Bloomington and Monroe County stand with just a handful in the state. Following that action, this group took steps to clear up perceptual language in our agenda that might have been perceived as regulating. We are caught between a rock and a hard place. As I read it, it pre-cludes a council or committee from doing those things, or council or committee that is create specifically to do those things. Does it pre-clude the City Council from doing those things?

Eric – I discussed this with Matt Pierce, he clarified, the units (the City Council) are permitted to do that, but the unit may not establish or designate an agency board or other subordinate. Which may affect the Board of Public Works?

Carl – City may not establish a board? If there are problems with video service providers. How does the community stir up the City Council to take action? If we are looking at a July deadline, then I move to set a work session between now, and the June meeting to prepare a new ordinance for the council to be submitted to the City Council.

Eric – Discussion of work session dates, decision made for Tuesday May 17th, at 4pm. Place will be determined, and then we will post a public notice.

Suzann – City Council meets in regular session on June 1st, 15th, & 29th, and July 13th.

3. ITS Dept. - No Report

4. WTIU – No Report

V. Information from or about Video Service Provider

VI. New Business

VII. Adjournment

A motion was made by Suzann that the meeting be adjourned.

Next Regular Meeting

June 7th, 2011

Common Council Chambers in City Hall at the Showers Building
401 N. Morton St.

Submitted by:

Stephanie Jachim 5-25-2011